

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHIA NETWORK INC.,

Plaintiff,

v.

DATA VAULT HOLDINGS, INC.,

Defendant.

Case No. 24-cv-07734-CRB

**ORDER DISMISSING ACTION FOR  
FAILURE TO PROSECUTE**

Plaintiff Chia Network Inc. brought this lawsuit in California state court against Defendant Data Vault Holdings, Inc. alleging breach of contract, common counts, and fraud. See Compl. (dkt. 2). Data Vault removed the case to federal court. See Notice of Removal (dkt. 1). Data Vault then filed a motion to dismiss on December 12, 2024. See MTD (dkt. 12). Chia Network did not file a timely response to Data Vault's motion to dismiss, so the Court ordered Chia Network to show cause by January 17 why the case should not be terminated for failure to prosecute under Federal Rule of Civil Procedure 41(b). See OSC (dkt. 14). The Court expressly warned: "Failure to respond will result in dismissal of this action with prejudice."

Chia Network has not responded to the Court's order to show cause. As a result, and because the Court specifically warned Chia Network of the consequences of a failure to respond, the Court **DISMISSES WITH PREJUDICE** all of its claims against Data Vault.

**IT IS SO ORDERED.**

Dated: January 22, 2025



CHARLES R. BREYER  
United States District Judge